

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
WHITE PLAINS DIVISION

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In re: Case No.: 15-22499 (RDD)

BARBARA GLASSER

CHAPTER: 13

DEBTOR.

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BARABAR GLASSER

MOVANT

V.

ORDER

WELLS FARGO BANK, NA

RESPONDENT

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**PROPOSED ORDER DETERMINING THE VALUE OF SECURITY AND LIEN
CLAIMED BY WELLS FARGO BANK, NA**

Upon the motion dated September 23, 2015, (the “Motion”) of the above debtor(s) (the “Debtor(s)”), for an order determining that value of the security and lien claimed by Wells Fargo on the Debtor(s)’s property located at 2 Mountainview Rd., Lake Luzerne, NY 12846. (the “Property”) is **\$30,000.00** under 11 U.S.C. §§ 506(a) and F.R.B.P 3012, and reclassifying the secured claim of the Creditor in this case based on such lien as limited to \$30,000.00 and any remaining claim is reclassified as unsecured claim; and it appearing that due and sufficient notice of the Motion and the hearing thereon was provided; [and the Creditor having opposed the relief requested in the Motion (the “Objection”);] [and there being no opposition to the requested relief;] and upon the record of the November 18, 2015 hearing on the Motion; and, after due deliberation, it appearing that the amount of the senior debt secured by the Property exceeds the

value of the Property and that there is no collateral value in the Property to secure the Debtor(s)'s obligations to the Creditor under the Creditor's junior mortgage on the Property; and good and sufficient cause appearing, it is hereby ORDERED that

1. The Motion is granted.

2. Any claim filed by Creditor against the Debtor(s) and the Debtor(s)'s estate in this case based on its junior lien on the Property shall be treated as secured to the amount of \$30,000 and otherwise unsecured.

3. Notwithstanding any other provision of this Order, this Order shall remain effective if the above-captioned case is converted to a case under chapter 11.

Dated: _____, New York
_____, 20__

UNITED STATES BANKRUPTCY JUDGE